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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,260	08/05/2003	Frank P. Baldiga	RSW920030053US1	7052
45541 7590 07/10/2007 HOFFMAN WARNICK & DALESSANDRO LLC 75 STATE ST 14TH FLOOR ALBANY, NY 12207				
			EXAMINER WHIPPLE, BRIAN P	
			ART UNIT 2152	PAPER NUMBER
			MAIL DATE 07/10/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/634,260

Applicant(s)

BALDIGA ET AL.

Examiner

Brian P. Whipple

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-22 are pending in this application and presented for examination.
2. The amendment received on 6/11/07 has been entered and made of record.

Response to Arguments

3. Applicant's arguments regarding the 35 USC 101 rejections of claims 19-22 are not persuasive, but the examiner is withdrawing the rejections for an independent reason. The examiner disagrees with the applicant's assertion that transmission signals are statutory articles are manufactures is disputed, as transmissions signals merely carry information and do not represent a statutory storage medium. However, the claims themselves are for a program product stored on a computer readable medium and thus appear to comprise data storage mediums and not the transmission media mentioned in the applicant's specification. Therefore, the 35 USC 101 rejections of claims 19-22 are withdrawn.

4. Applicant's arguments regarding the 35 USC 102 and 103 rejections of claims 1-22 have been fully considered but they are not persuasive.

The applicant's argument that an IP address is a location identifier "assigned at the time of manufacture" is factually incorrect. This is true of a MAC address, but IP addresses are assigned after manufacture, as otherwise dynamic IP address assignment via DHCP would be invalid. DHCP is dynamic and performed by a server in

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response a client's request. Matsuda in particular describes the device identifier as being based on device type (through the basis of an IP address on a MAC address, which inherently includes device type) and user data (through the basis of an IP address on a user's host name) as discussed below in the 35 USC 102 rejection of claim 1.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-5, 8-10, and 13-22 are rejected under 35 U.S.C. 102(a) as being anticipated by Matsuda et al. (Matsuda), U.S. Publication No. 2002/0133573 A1, with Poger et al. (Poger), U.S. Patent No. 6,772,420 B1, providing intrinsic evidence.

7. As to claim 1, Matsuda discloses a method of managing device identifiers, the method comprising: providing a set of device entries at a server ([0064], ln. 11-16; [0065], ln. 27-38; [0066], ln. 1-4);

generating a unique device identifier for each of the set of device entries ([0065], ln. 27-38), wherein the generating is performed by the server ([0065], ln. 27-38), and wherein the generating is based on a particular user and a particular device ([0064];

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[0065], ln. 1-7; a host name is data for a particular user and a particular device; the generating is based on the IP address request by a particular user/device and the existing IP addresses assigned to particular users/devices); and

associating correlation data with each of the set of device entries, wherein the correlation data includes a device type and user data ([0064]; [0065], ln. 1-7; a host name is user data; it is inherent that a device type is included in the correlation data as device type information is embedded in the MAC address, see Poger, Col. 3, ln. 19-31 and Col. 4, ln. 48-55).

8. As to claim 2, Matsuda discloses obtaining one of the set of device entries based on correlation data for a particular device ([0065], ln. 7-14).

9. As to claim 3, Matsuda discloses receiving a request from the particular device for an assigned device identifier, wherein the request includes correlation data for the particular device ([0065], ln. 1-14); and

communicating the device identifier for the one of the set of device entries to the particular device ([0066], ln. 12-17).

10. As to claim 4, Matsuda discloses each of the set of device entries further includes a status ([0064], ln. 11-16).

11. As to claim 5, Matsuda discloses the status for the obtained one of the set of device entries indicates that the device identifier is unused (Fig. 7, item 720; [0065], In. 27-38).

12. As to claim 8, Matsuda discloses generating a new device entry based on the received correlation data for the particular device ([0065], In. 14-26; [0066], In. 1-4).

13. As to claim 9, Matsuda discloses the user data includes a user name ([0065], In. 1-7; a host name is a user name).

14. As to claim 10, Matsuda discloses a method of assigning a device identifier, the method comprising: providing a set of device entries at a server ([0064], In. 1-6), wherein each device entry includes a device identifier ([0065], In. 27-38) and correlation data ([0064]; [0065], In. 1-7), wherein the device identifier is generated by the server ([0065], In. 27-38), and wherein the generating is based on a particular user and a particular device ([0064]; [0065], In. 1-7; a host name is data for a particular user and a particular device; the generating is based on the IP address request by a particular user/device and the existing IP addresses assigned to particular users/devices);

receiving a request from a device, wherein the request includes correlation data for the device ([0065], In. 1-14);

identifying one of the set of device entries by comparing the correlation data in the request to the correlation data in the set of device entries ([0065], In. 1-14); and

communicating the device identifier from the one of the set of device entries to the device ([0065], ln. 11-14; [0066], ln. 12-17).

15. As to claim 13, Matsuda discloses obtaining user data for a user ([0065], ln. 1-14); and

generating at least one of the set of device entries using the user data for the user before the request is received ([0065], ln. 1-14; previous name and address bindings of the client exist prior to the client's attempt to retrieve configuration information from the server).

16. As to claim 14, the claim is rejected for the same reason as claim 1 above.

17. As to claim 15, Matsuda discloses a data input system for obtaining correlation data for a user and generating at least one of the set of device entries using the correlation data for the user ([0065]).

18. As to claim 16, Matsuda discloses a communication system for communicating with a device ([0066], ln. 12-17).

19. As to claim 17, the claim is rejected for the same reasons as claim 2 above.

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20. As to claim 18, Matsuda discloses a verification system for verifying correlation data received from a particular device ([0065]).

21. As to claim 19, the claim is rejected for the same reasons as claim 1 above.

22. As to claim 20, Matsuda discloses communicating the device identifier of one of the set of device entries to a particular device ([0066], ln. 12-17).

23. As to claim 21, Matsuda discloses program code for receiving a request from the particular device, wherein the request includes correlation data for the particular device ([0065], ln. 1-14);

program code for verifying the correlation data for the particular device ([0065]);

and

program code for identifying one of the set of device entries by comparing the correlation data in the request to the correlation data in the set of device entries ([0065], ln. 1-14).

24. As to claim 22, the claim is rejected for the same reasons as claim 13 above.

Claim Rejections - 35 USC § 103

25. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

26. Claims 6-7 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claims 4 and 10 above, in view of Okano et al. (Okano), U.S. Publication No. 2002/0062485 A1.

27. As to claim 6, Matsuda does not disclose setting the status to indicate that the device identifier for the device entry is pending after communicating the device identifier.

However, Okano does disclose setting the status to indicate that the device identifier for the device entry is pending after communicating the device identifier ([0092]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Matsuda by indicating that a device identifier for a device entry is pending after communicating the device identifier as taught by Okano in order to temporarily allocate a device identifier that may be used by a device, but avoid permanently allocating the device identifier in case the device denies the offer of the device identifier (Okano, [0099]; [0102]) in order to avoid unnecessarily setting aside device identifiers from an available pool.

28. As to claim 7, Matsuda discloses setting the status to indicate that the device identifier for the device entry is in use after receiving the acknowledgment ([0066], In. 1-4).

Matsuda does not disclose receiving an acknowledgment from the particular device for the communicated device identifier.

However, Okano does disclose receiving an acknowledgment from the particular device for the communicated device identifier ([0099]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Matsuda by receiving an acknowledgement from a device for the communicated device identifier as taught by Okano in order to determine if an offer of a temporarily allocated device identifier should be formally allocated to the device (Okano, [0099]; [0102]) in order to avoid unnecessarily setting aside device identifiers from an available pool.

29. As to claims 11-12, the claims are rejected for the same reasons as claim 7 above.

Conclusion

30. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Whipple whose telephone number is (571) 270-1244. The examiner can normally be reached on Mon-Fri (8:30 AM to 5:00 PM EST).

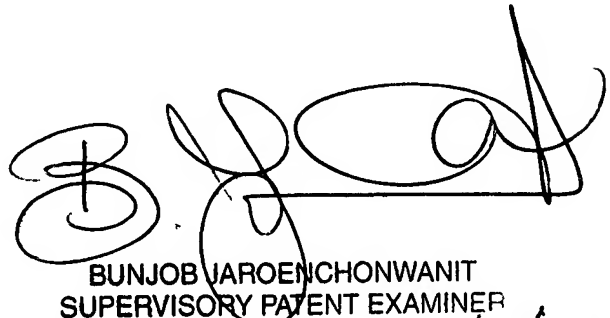
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BPW

Brian P. Whipple
7/3/07


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SUPERVISORY PATENT EXAMINER
7/6/7